

1 BILL NO. G-86-*0673*

2 GENERAL ORDINANCE NO. G- 01-87

3 AN ORDINANCE amending the Thoroughfare  
4 Plan of the City Comprehensive ("Master")  
5 Plan by vacating an alley thereof.

6 WHEREAS, a petition to vacate a public alley  
7 within the City of Fort Wayne (as more specifically described  
8 below) was duly filed with the City Planning Commission;  
9 and

10 WHEREAS, said Commission duly held a public hearing  
11 thereon; and

12 WHEREAS, said Commission has duly forwarded its  
13 recommendation to this body approving said petition, all in  
14 accordance with I.C. 36-7-4-512(2) and this body having  
15 held a public hearing on said vacation as provided in  
16 I.C. 36-7-3-12; and

17 WHEREAS, this body concurs in the recommendation of  
18 the City Planning Commission.

19 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
20 THE CITY OF FORT WAYNE, INDIANA:

21 SECTION 1. That the petition filed herein to vacate a  
22 public alley within the City of Fort Wayne, more  
23 specifically described as follows, to-wit:

24 Part of Volney Park Subdivision of the North Part of  
25 Lillie's Out Lot #31 to the City of Fort Wayne,  
26 Indiana, more particularly described as follows:

27 Beginning at the Northwest corner of Lot #14 Volney  
28 Park Subdivision, said point being on the East  
29 right-of-way line of Winter Street; thence East along  
30 the North line of Lot #14, Lot #13 and the North line  
31 of vacated Tam Street, a distance of 275.0 feet;  
32 thence North along the East line of Lot #12 projected  
33 North, a distance of 12 feet to the Southeast corner of  
34 Lot #8 in Simon's Addition; thence West along the South  
35 line of Lot #8, #9, #10, #11, #12, and #13, in Simon's  
36 Addition, a distance of 275 feet to the Southwest  
37 corner of Lot #13 in Simon's Addition, said point also  
38 being on the East right-of-way line of Winter Street;  
39 thence South along said East right-of-way line, a

distance of 12.0 feet to the point of beginning, containing 0.08 acres.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

  
councilmember

APPROVED AS TO FORM AND LEGALITY:

**BRUCE O. BOXBERGER, CITY ATTORNEY**

\*\* Public hearing to be held on \_\_\_\_\_, the  
\_\_\_\_ day of \_\_\_\_\_, 1986, in the Council  
Chambers.

Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Gostach  
seconded by Gia Quinta, and duly adopted, read the second time  
by title and referred to the Committee Regulations (and the C  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.M.,

DATE: 6-10-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury  
seconded by Talarico, and duly adopted, placed on it  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	—	—	<u>1</u>	—
<u>BRADBURY</u>	<u>✓</u>	—	—	—	—
<u>BURNS</u>	<u>✓</u>	—	—	—	—
<u>EISBART</u>	<u>✓</u>	—	—	—	—
<u>GiaQUINTA</u>	<u>✓</u>	—	—	—	—
<u>HENRY</u>	<u>✓</u>	—	—	—	—
<u>REDD</u>	<u>✓</u>	—	—	—	—
<u>SCHMIDT</u>	—	—	—	<u>✓</u>	—
<u>STIER</u>	<u>✓</u>	—	—	—	—
<u>TALARICO</u>	<u>✓</u>	—	—	—	—

DATE: 1-13-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. G01-87  
on the 13th day of January, 1987

ATTEST:

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. Gia Quinta

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana  
on the 14th day of January, 1987  
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of January  
1987, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR

**RECEIPT**

COMMUNITY DEVELOPMENT &amp; PLANNING

No. 591

Ft. WAYNE, IND. 4/2 1986RECEIVED FROM JSK Corp. \$ 100.00THE SUM OF One Hundred + 00/100 DOLLARSON ACCOUNT OF alleg vacation1608 Simon St.B. Steele

AUTHORIZED SIGNATURE

PETITION TO VACATE ALLEY

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner, does hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following alley within the City of Fort Wayne, Indiana, which alley is legally described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

In support thereof, your petitioner would represent as follows:

1. That the petitioner and the undersigned adjacent property owners are the only owners of the real estate bordering both sides of the alley sought to be vacated, excepting H K and F Heating And Air Conditioning, 1608 Simon Street, Fort Wayne, Indiana.

2. That the alley is not necessary as ingress or egress to other properties whatsoever.

3. Said alley is unimproved.

4. That no other person, firm or corporation, other than the signatories to this petition, are interested in or affected by the requested vacation.

5. That the maintenance of said alley is not necessary or advantageous to the growth of the City of the Fort Wayne and that it would be in the best interest of the City and the citizens thereof to vacate said alley.

6. This petition is filed pursuant to the authority granted by Indiana law in order to complete the vacation as above-described.

WHEREFORE, your petitioner prays that the above-described alley be vacated according to the provisions of Indiana law pertaining thereto.

Dated this 2<sup>nd</sup> day of April, 1986.

ADJACENT PROPERTY OWNERS:

Signature: Dale J. Kinder  
Address: 1806 Bayer Ave  
Ft Wayne, IN

Signature: The Burke Co. Thomas Deitz  
Address: 1624 Simon St.  
Ft Wayne Ind.

Signature: J. T. Hengh, Pres  
Address: McLaws Pipe & Steel  
1982 Winter St.  
City 03

Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

PETITIONER:

JSK CORPORATION  
1927 Maumee Avenue  
Fort Wayne, IN 46803

BY: Kelvin D. Hart  
Its: President

AGENT:

EDWARD E. BECK, Attorney At Law  
Shambaugh, Kast, Beck & Williams  
1900 Lincoln Tower  
Fort Wayne, IN 46802

# CERTIFICATE OF SURVEY

OFFICE OF:

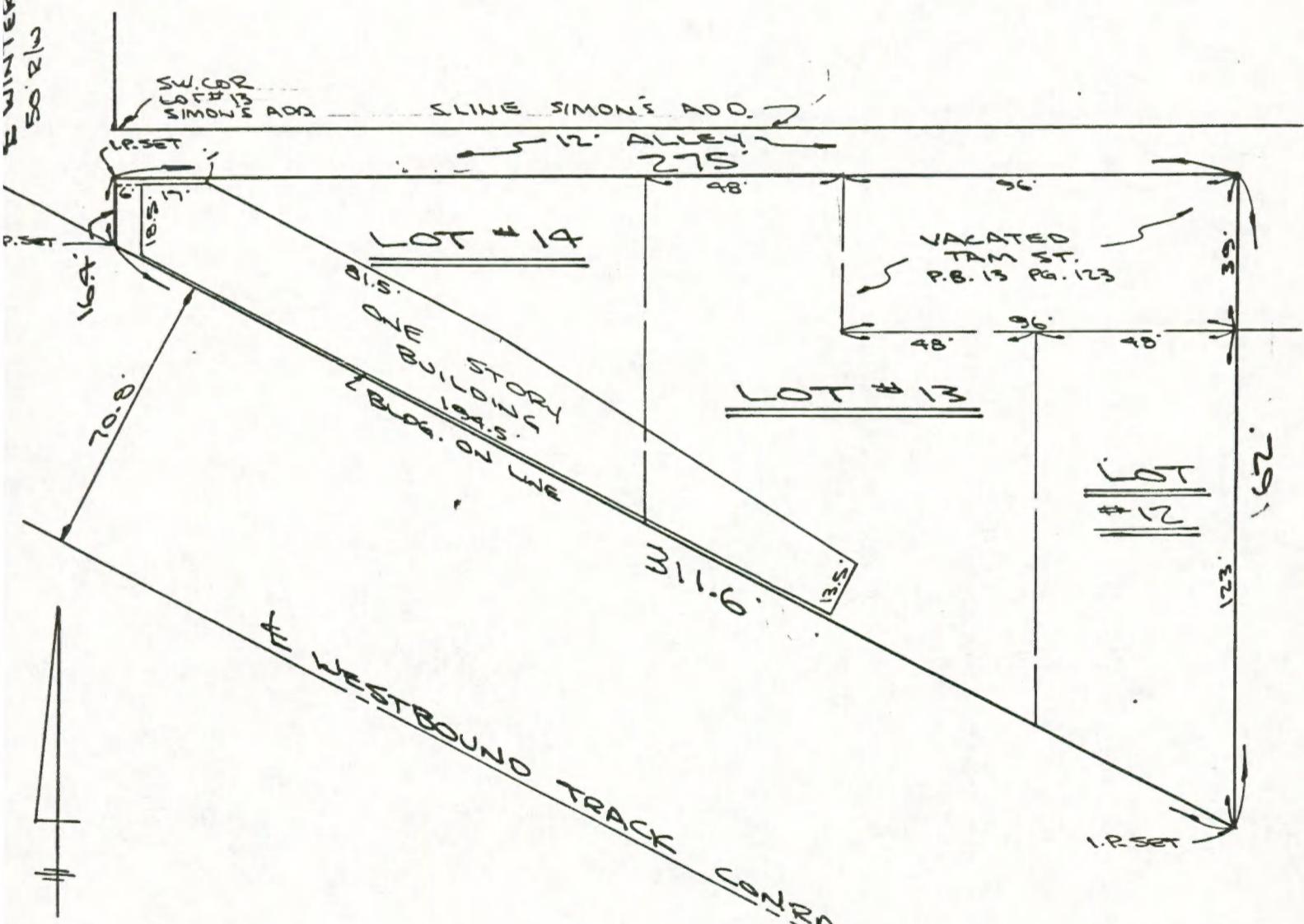
DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA  
FRANCIS X. MUELLER P.L.S. No. S0193 INDIANA  
GREGORY L. ROBERTS P.L.S. No. S0548 INDIANA  
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Lots 12, 13, and 14 in Volney Park Subdivision of the North part of Lillie's Out Lot #31 to the City of Fort Wayne, and that part of Tam Street vacated under Declaratory Resolution No. 750, adjoining on the North.



NOTE: According to the Flood Insurance Rate Map (FIRM), number 180003 0010B, dated April 3, 1985, the herein described real estate is not located in a flood hazard area (Zone C).

JOB FOR: KOESTER'S BODY SHOP

1" = 40'  
1-14-86



## CERTIFICATE OF SURVEY

OFFICE OF:

### DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA  
FRANCIS X. MUELLER P.L.S. No. S0193 INDIANA  
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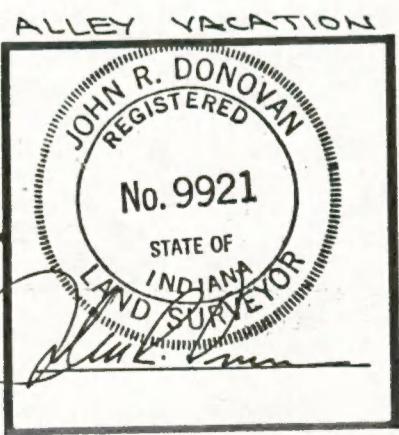
Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ~~PULASKI~~ County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Part of Volney Park Subdivision of the North Part of Lille's Out Lot #31 to the City of Fort Wayne, Indiana, more particularly described as follows:

#14 Beginning at the Northwest corner of Lot #14 in Volney Park Subdivision, said point being on the East right-of-way line of Winter Street; thence East along the North line of Lot #13, Lot #13 and the North line of vacated Tam Street, a distance of 275.0 feet; thence North along the East line of Lot #12 projected North, a distance of 12 feet to the Southeast corner of Lot #8 in Simon's Addition; thence West along the South line of Lot #8, #9, #10, #11, #12, and #13, in Simon's Addition, a distance of 275 feet to the Southwest corner of Lot #13 in Simon's Addition, said point also being on the East right-of-way line of Winter Street; thence South along said East right-of-way line, a distance of 12.0 feet to the point of beginning, containing 0.08 acres.

JOB FOR: KOESTER'S BODY SHOP

1-14-86



RESOLUTION 76-64-19

WHEREAS, JSK CORPORATION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alley situated in Fort Wayne, Allen County, to-wit:

Part of Volney Park Subdivision of the North Part of Lillie's Out Lot #31 to the City of Fort Wayne, Indiana, more particularly described as follows:

Beginning at the Northwest corner of Lot #14 Volney Park Subdivision, said point being on the East right-of-way line of Winter Street; thence East along the North line of Lot #14, Lot #13 and the North line of vacated Tam Street, a distance of 275.0 feet; thence North along the East line of Lot #12 projected North, a distance of 12 feet to the Southeast corner of Lot #8 in Simon's Addition; thence West along the South line of Lot #8, #9, #10, #11, #12, and #13, in Simon's Addition, a distance of 275 feet to the Southwest corner of Lot #13 in Simon's Addition, said point also being on the East right-of-way line of Winter Street; thence South along said East right-of-way line, a distance of 12.0 feet to the point of beginning, containing 0.08 acres.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN )

I, David J. Kiester, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held June 11, 1986 and as same appears of record in the official records of the Board of Public Works.

Resolution  
Alley Vacation

Page two

DATED THIS 14<sup>th</sup> DAY OF June 1986

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiest

David J. Kiest  
Director of Public Works

Cosette R. Simon

Cosette R. Simon  
Director of Administration & Finance

Lawrence D. Consalvos

Lawrence D. Consalvos  
Director of Public Safety

RESOLUTION

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all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on May 19, 1986, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alley.

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated alley in Allen County, Indiana.

STATE OF INDIANA)  
                 ) SS:  
COUNTY OF ALLEN )

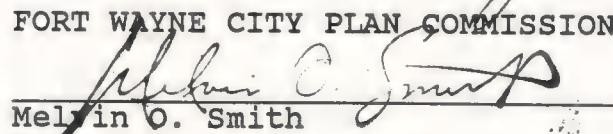
Resolution  
Alley Vacation

Page two

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held 16 June 1986, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 18 DAY OF June 1986

FORT WAYNE CITY PLAN COMMISSION

  
Melvin O. Smith  
Secretary

**ORIGINAL**

COUNCILMANIC DISTRICT NO. 2

DIGEST SHEET

Admn. Appr. \_\_\_\_\_

**ORIGINAL**

TITLE OF ORDINANCE Alley Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE N/S alley bounded by Tam, Simon, Winter and the RR tracks

*Y-86-0613*

EFFECT OF PASSAGE Property is dedicated public right of way. Property will be closed to public and revert to adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated public right of way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.) \_\_\_\_\_

**FACT SHEET**

G-86-06-13

**BILL NUMBER****Division of Community  
Development & Planning**

<b>BRIEF TITLE</b>	<b>APPROVAL DEADLINE</b>	<b>REASON</b>																											
Alley Vacation Ordinance																													
<b>DETAILS</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;"><b>Specific Location and/or Address</b>  E/W alley bounded by Tam; Simon and Winter Streets and the Railroad Tracks.</td> <td style="padding: 5px;"><b>POSITIONS</b></td> <td style="padding: 5px;"><b>RECOMMENDATIONS</b></td> </tr> <tr> <td style="padding: 5px;">Reason for Project  To allow property to be fenced and used for vehicle storage.</td> <td style="padding: 5px;"><b>Sponsor</b></td> <td style="padding: 5px;">City Plan Commission</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"><b>Area Affected</b></td> <td style="padding: 5px;">City Wide</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;">Other Areas</td> </tr> <tr> <td style="padding: 5px;"><b>Discussion (Including relationship to other Council actions)</b>  <u>19 May 1986 - Public Hearing</u>  John Powell, attorney representing the petitioners, stated that they wished to alley vacated in order to allow JSK Corp., to fence the property in and use it for vehicle storage.  Duane Embury questioned if H.K.&amp;F. Heating &amp; Air Conditioning did not sign the petition - why?  Mr. Powell stated that HK&amp;F did not sign the petition but there has not been any opposition expressed to the vacation. It is the opinion that the owner of the adjacent property does not understand what signing off on the petition means and therefore would not sign the petition.  Duane Embury stated that there is a main trunk sewer in the alley and he was concerned over the use of the property if vacated.  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**DETAILS**

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

**2 June 1986 - Business Meeting**

Motion to return the ordinance to the Common Council with a DO PASS recommendation was made and carried.

Of the eight (8) members present 7 voted in favor of the motion one (1) did not vote.

**NOTE:** A condition was placed on this property for the petitioner to erect a 7 foot opaque fence to buffer usage from the abutting projects. This condition has been satisfied.

**POLICY/ PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

**Project Start**                      **Date** 2 April 1986

**Projected Completion or Occupancy**              **Date** 11 December 1986

**Fact Sheet Prepared by**              **Date** 11 December 1986  
Patricia Biancaniello

**Reviewed by**                      **Date** 12/15/86  
*Dacy Buxton*  
**Reference or Case Number**

BILL NO. G-86-06-13

*John Powell*

REPORT OF THE COMMITTEE ON

REGULATIONS

WE, YOUR COMMITTEE ON

REGULATIONS

TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) amending the Thoroughfare

Plan of the City Comprehensive ("Master") Plan by vacating an alley  
thereof

\_\_\_\_\_  
\_\_\_\_\_

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(RESOLUTION)

*No Pass*

YES

NO

*Janet G. Bradbury* JANET G. BRADBURY  
CHAIRPERSON

*Charles B. Redd* CHARLES B. REDD  
VICE CHAIRMAN

*Thomas C. Henry* THOMAS C. HENRY

*Paul M. Burns* PAUL M. BURNS

*Ben A. Eisbart* BEN A. EISBART

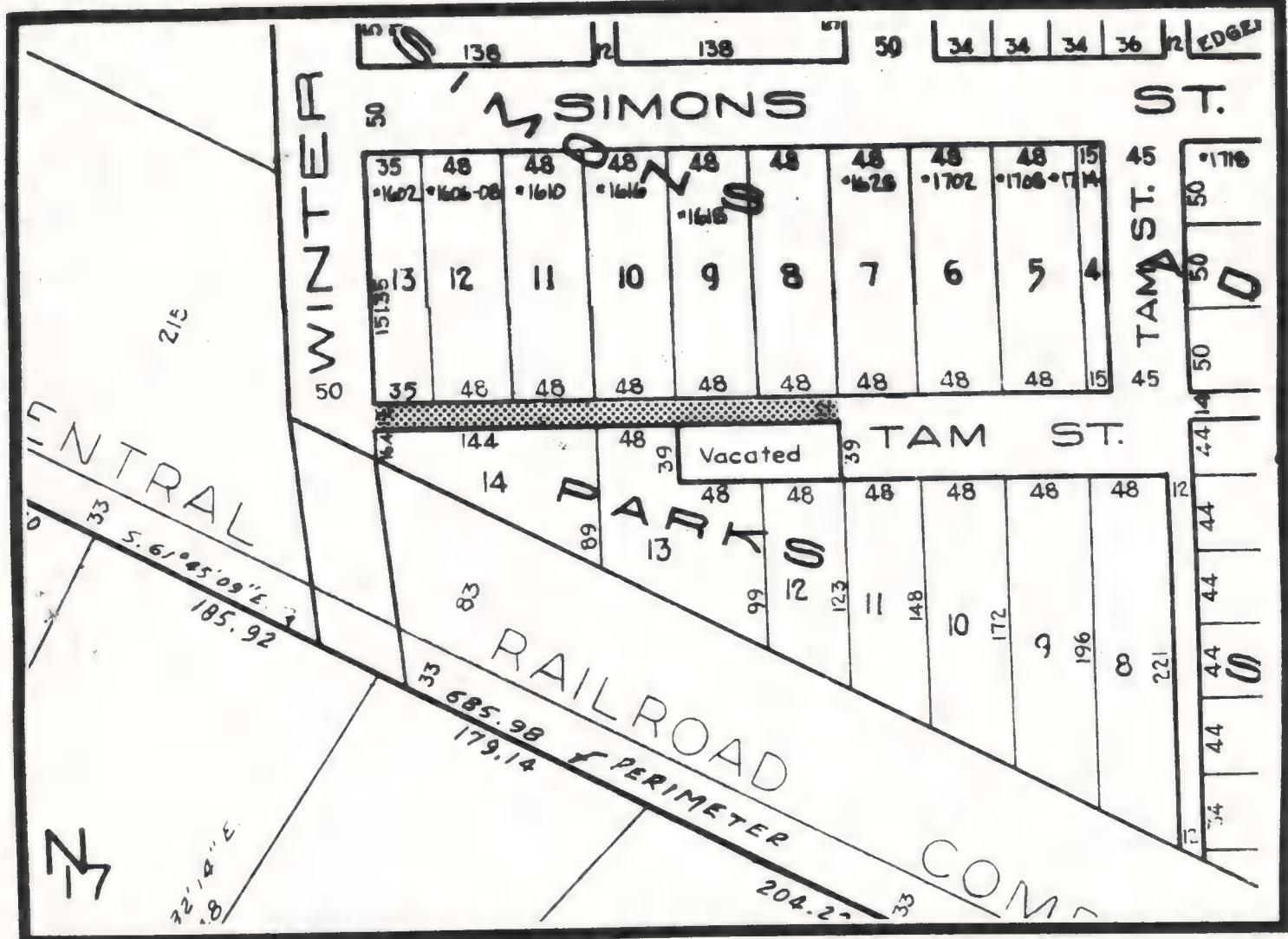
CONCURRED IN 1-12-87

SANDRA E. KENNEDY  
CITY CLERK

A PETITION TO VACATE THE DESCRIBED  
PUBLIC ALLEY.

COUNCILMANIC DISTRICT NO. 1

MAP NO. 02



## **ZONING:**

## **LAND USE:**

**SCALE:** 1" = 100'

7

**DATE:** 5-1-86





# The City of Fort Wayne

December 22, 1986

Edward Beck, Attorney  
1900 Lincoln Bank Tower  
Fort Wayne, IN 46802

## NOTICE OF PUBLIC HEARING ON BILL NO. G-86-06-13

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, January 13, 1987, at 7:00 P.M., in the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on the following:

E/W alley bounded by Tam; Simon and Winter Streets and the Railroad Tracks. To allow property to be fenced and used for vehicle storage.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy  
City Clerk

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-86-06-13

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, January 13, 1987, at 7:00 P.M., in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Part of Volney Park Subdivision of the North Part of Lillie's Out Lot #31 to the City of Fort Wayne, Indiana, more particularly described as follows:

Beginning at the Northwest corner of Lot #14 Volney Park Subdivision, said point being on the East right-of-way line of Winter Street; thence East along the North line of Lot #14, Lot #13 and the North line of vacated Tam Street, a distance of 275.0 feet; thence North along the East line of Lot #12 projected North, a distance of 12 feet to the Southeast corner of Lot #8 in Simon's Addition; thence West along the South line of Lot #8, #9, #10, #11, #12, and #13, in Simon's Addition, a distance of 275 feet to the Southwest corner of Lot #13 in Simon's Addition, said point also being on the East right-of-way line of Winter Street; thence South along said East right-of-way line, a distance of 12.0 feet to the point of beginning, containing 0.08 acres.

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL



Sandra E. Kennedy  
City Clerk



# The City of Fort Wayne

December 22, 1986

Ms. Marilyn Romine  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Romine:

Please give the attached full coverage on the date of December 26, 1986, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-86-06-13  
Alley Vacation  
Bill No. G-86-11-27  
Utility Easement  
Bill No. G-86-11-28  
Street Vacation

Please send us four copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 3

**NOTICE OF PUBLIC HEARING**

## ACENT:

Ed Beck  
1900 Lincoln Bank Tower  
City 02

that the Fort Wayne City Plan Commission  
is meeting on Monday, May 19, 1986 at  
the City-County Building, One Main Street,  
the proposed vacation of the following  
lot-of-way.

~~County, Indiana.~~

## 2. ALLEY VACATION

Part of Volney Park Subdivision of the North Part of Lillie's  
Out Lot #31 to the City of Fort Wayne, Indiana, more particularly  
described as follows:

Beginning at the Northwest corner of Lot #14 Volney Park Subdivision, said point being on the East right-of-way line of Winter Street; thence East along the North line of Lot #14, Lot #13 and the North line of vacated Tam Street, a distance of 275.0 feet; thence North along the East line of Lot #12 projected North, a distance of 12 feet to the Southeast corner of Lot #8 in Simon's Addition; thence West along the South line of Lot #8, #9, #10, #11, #12, and #13, in Simon's Addition, a distance of 275 feet to the Southwest corner of Lot #13 in Simon's Addition, said point also being on the East right-of-way line of Winter Street; thence South along said East right-of-way line, a distance of 12.0 feet to the point of beginning, containing 0.08 acres.

3. FORMER NORTH APPROACH TO GAY STREET BRIDGE

All that part of the right-of-way of Gay Street which lies between the South right-of-way line of Hayden Street and the North right-of-way line of the Norfolk & Western Railroad in the City of Fort Wayne, Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot #236 in Eliza Hanna Senior's Addition to the City of Fort Wayne, the plat of which is recorded in Deed Record 60, pages 262 and 263 in the Office of the Recorder of Allen County, Indiana; thence West, on and along the Westerly projection of the South right-of-way line of Hayden Street, a distance of 50.04 feet to the Northeast corner of Lot #238 in said Eliza Hanna Senior's Addition; thence

Fort Wayne Common Council  
 .....  
 (Governmental Unit)  
 Allen ..... County, IN

To ..... NEW-SENTINEL ..... Dr.  
 ..... P.O. BOX 100  
 ..... FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

### LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines  
 of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	3
Body	number of lines	24
Tail	number of lines	3
Total number of lines in notice		30

### COMPUTATION OF CHARGES

30 ..... 1 ..... columns wide equals ..... 30 ..... equivalent lines at ..... 300¢ ..... \$ ..... 9.00  
 ..... lines, ..... cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)  
 Charge for extra proofs of publication (50 cents for each proof in excess of two)  
 ..... 2 extra ..... 1.00  
 ..... 10.00  
 ..... \$.....

### TOTAL AMOUNT OF CLAIM

### DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type ..... 6 ..... point
Number of insertions ..... 1	Size of quad upon which type is cast ..... 6 .....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Drusilla Roose*

Date Dec. 26, 1986

Title ..... CLERK

### FORM #903

### PUBLISHER'S AFFIDAVIT

State of Indiana  
 ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the  
 undersigned ..... Drusilla Roose ..... who, being duly sworn, says

that he/she is ..... CLERK ..... of the

NEWS-SENTINEL

a ..... DAILY ..... newspaper of general circulation printed and published

in the English language in the city ..... town of ..... FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,  
 which was duly published in said paper for ..... one time ..... the dates of publication being

as follows:

12/26/86

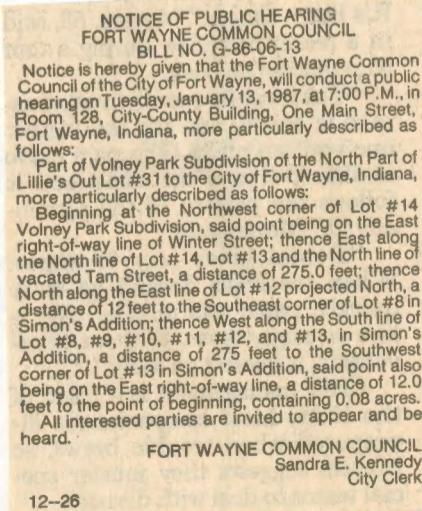
*Drusilla Roose*

Subscribed and sworn to me before this ..... 26th ..... day of December 19 86

*Shelley R. LaRue*  
 Shelley R. LaRue Notary Public

March 3, 1990

My commission expires ..... 12-26



**Fort Wayne Common Council**  
 (Governmental Unit)  
**Allen** County, IN

To **JOURNAL-GAZETTE** Dr.  
**P.O. BOX 100**  
**FORT WAYNE, INDIANA**

## PUBLISHER'S CLAIM

### LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	.....	3
Body	number of lines	.....	24
Tail	number of lines	.....	3
Total number of lines in notice		.....	30

### COMPUTATION OF CHARGES

30	lines, 1 columns wide equals	30	equivalent lines at .300¢	\$ 9.00
		cents per line		

Additional charge for notices containing rule or tabular work (50 per cent of above amount) .....  
 ....

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra 1.00  
 ....

**TOTAL AMOUNT OF CLAIM** \$10.00

### DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type ..... 6	point
Number of insertions ..... 1	Size of quad upon which type is cast ..... 6	.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Drusilla Roose*

**Dec. 26 86**  
 Date ..... 19 .....

Title ..... CLERK

### FORM #904

### PUBLISHER'S AFFIDAVIT

State of Indiana  
 ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ..... Drusilla Roose ..... who, being duly sworn, says

that he/she is ..... CLERK ..... of the JOURNAL-GAZETTE

a ..... newspaper of general circulation printed and published

in the English language in the city ..... town of ..... FORT WAYNE, INDIANA .....

in state and county aforesaid, and that the printed matter attached hereto is a true copy, one time

which was duly published in said paper for ..... the dates of publication being

as follows:

**12/26/86**

Subscribed and sworn to me before this

**26th**

December 86

FORT WAYNE COMMON COUNCIL  
 Sandra E. Kennedy  
 City Clerk

12-26

*Drusilla Roose*

*Shelley R. LaRue*

Notary Public

**March 3, 1990**

My commission expires .....